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PARLIAMENT OF INDIA

NOTIFICATION

New Delhi, the 26th January, 1950

No. 30-I/50-A.—The Constituent Assembly (Legislative) Rules of Procedure and Conduct of Business in force immediately before the commencement of the Constitution of India as modified and adapted by the Speaker of Parliament in exercise of the powers conferred by Clause (2) of Article 118 of the said Constitution as adapted by the Constitution (Removal of Difficulties) Order No. II, for the purposes of regulating the procedure and the conduct of business in Parliament under the said Constitution, are hereby published for general information:—

RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN PARLIAMENT

CHAPTER I

SHORT TITLE AND DEFINITIONS

1. Short title.—These rules may be called "the Rules of Procedure and Conduct of Business in Parliament".

2. Definitions.—In these rules, unless the context otherwise requires,—
"The Constitution" means the Constitution of India as in force for the time being;

"Deputy Speaker" means the person holding the office of the Deputy Speaker under Article 87(5) of the Constitution or any other person elected to such office under the Constitution;

"Finance Minister" includes any Minister;

"Gazette" means the Gazette of India;

"House" means the Parliament of India under the Constitution;

"Member" means a member of Parliament;

"Member in charge of the Bill" means in the case of a Government Bill any Minister and in any other case the member who has introduced the Bill;

"Minister" means a member of the Council of Ministers, a Minister of State or a Deputy Minister, and includes any member to whom such Minister may delegate any function assigned to him under these rules;

"Parliament" means the Parliament of India under the Constitution;
 "President" means the President of India;
 "Private Member" means a member other than a Minister;
 "Secretary" means the Secretary to Parliament and includes any person for the time being performing the duties of the Secretary;
 "Speaker" means the person holding the office of the Speaker under Article 379(5) of the Constitution or any other person elected to such office under the Constitution.

Words and expressions used in the Constitution and also in these rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II

SUMMONS TO MEMBERS AND SEATING

3. Summons to Members.—The Secretary shall issue a summons to each member specifying the date and place for a session of Parliament.

4. Seating of Members.—The members shall sit in such order as the Speaker may determine.

CHAPTER III

ELECTION OF SPEAKER AND DEPUTY SPEAKER AND PANEL OF CHAIRMEN

5. Election of Speaker by Parliament.—(1) The election of a Speaker shall be held on such date as the President may fix and the Secretary shall send to every member notice of this date.

(2) At any time before noon on the day preceding the date so fixed, any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating—

- (a) the name of the member nominated, and
- (b) that the proposer has ascertained that such member is willing to serve as Speaker, if elected.

(3) On the date of election the person presiding shall read out to the House the names of the members who have been duly nominated together with those of their proposers and seconds, and, if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the House shall proceed to elect a Speaker by ballot.

(4) For the purposes of sub-rule (3) a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the presiding member, made the oath or affirmation as members of Parliament.

(5) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates as the case may be.

(6) Where at any ballot any of three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under

sub-rule (5) the determination as between the candidates whose votes are equal of the candidate who is to be excluded shall be by drawing of lots.

6. Election of Deputy Speaker by Parliament.—(1) The election of a Deputy Speaker shall be held on such date as the Speaker may fix and the Secretary shall send to every member notice of this date.

(2) At any time before noon on the day preceding the date so fixed any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating—

- (a) the name of the member nominated, and
- (b) that the proposer has ascertained that such member is willing to serve as Deputy Speaker, if elected.

(3) On the date of election the person presiding shall read out to the House the names of the members who have been duly nominated together with those of their proposers and seconders, and, if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the House shall proceed to elect a Deputy Speaker by ballot.

(4) For the purposes of sub-rule (3) a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the presiding member, made the oath or affirmation as members of Parliament.

(5) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates as the case may be.

(6) Where at any ballot any of three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (5), the determination as between the candidates whose votes are equal of the candidate who is to be excluded shall be by drawing of lots.

7. Panel of Chairmen.—(1) At the commencement of Parliament or from time to time as the case may be, the Speaker shall nominate from amongst the members of Parliament a panel of not more than six Chairmen, any one of whom may preside over Parliament in the absence of the Speaker and the Deputy Speaker when so requested by the Speaker, or in his absence, by the Deputy Speaker.

(2) A Chairman nominated under sub-rule (1) shall hold his office until a new panel of Chairmen is nominated.

CHAPTER IV

MEETINGS OF PARLIAMENT

8. Commencement of meetings.—Meetings of Parliament shall, subject to the direction of the Speaker, ordinarily commence at 10-45 A.M.

9. Sittings of Parliament.—Parliament shall sit on such days as the Speaker, having regard to the state of business of Parliament, may from time to time direct.

10. Conclusion of meetings.—Unless the Speaker otherwise directs, meetings of Parliament on any day shall ordinarily conclude at 5 P.M.

CHAPTER V

PRESIDENT'S ADDRESS AND MESSAGES TO PARLIAMENT

11. Allotment of time for discussion of President's Special Address.—The Speaker, in consultation with the Leader of the House, shall allot time for the discussion of the matters referred to in the President's Address at the commencement of a session of Parliament under Article 87(1) of the Constitution.

12. Scope of Discussion.—On such day or days or part of any day, Parliament shall be at liberty to discuss the matters referred to in such Address on a motion of thanks moved by a member, which shall be seconded by another member.

13. Amendments.—Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker.

14. Other business that may be taken up.—(1) Notwithstanding that a day has been allotted for discussion on the President's Address,—

(a) a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day, and

(b) other business of a formal character may be transacted on such day before the House commences or continues the discussion on the Address.

(2) The discussion on the Address may be postponed in favour of a Government Bill or other Government business on a motion being made that the discussion on the Address be adjourned to a subsequent day to be appointed by the Speaker. The Speaker shall forthwith put the question, no amendment or debate being allowed.

(3) The discussion on the Address shall be interrupted in the course of a sitting by an adjournment motion under rule 48.

15. Government's right of reply.—The Prime Minister or any other Minister, whether he has previously taken part in the discussion or not, shall on behalf of the Government have a general right of explaining the position of the Government at the end of the discussion and the Speaker may enquire how much time will be required for the speech so that he may fix the hour by which the discussion shall conclude.

16. Time limit for Speeches.—The Speaker may, if he thinks fit, prescribe, after taking the sense of the House, a time limit for speeches.

17. President's Address under Article 86(1) of the Constitution.—No time shall be allotted for the discussion of the matters referred to in the President's Address under Article 86(1) of the Constitution:

Provided that the contents of the Address may be referred to in any debate in Parliament.

18. Messages by President.—Where a message from the President for Parliament under Article 86(2) of the Constitution is received by the Speaker, he shall read the message to the House and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such extent as it may be necessary to do so.

19. Prorogation of Parliament.—When the President prorogues Parliament, he may address the House, but there shall be no discussion on such address.

CHAPTER VI

ARRANGEMENT OF BUSINESS

20. Arrangement of Government Business.—On days allotted for the transaction of Government business that business shall have precedence and the Secretary shall arrange that business in such order as the Speaker after consultation with the Leader of the House may determine.

21. Allotment of time for Private Members' Business.—The Speaker, after considering the state of business of Parliament, may allot so many days as may be possible for private members' business, and may allot different days for the disposal of different classes of such business, and, on days so allotted for any particular class of business, business of that class shall have precedence.

22. Precedence of Private Members' Bills.—(1) The relative precedence of notices of Bills given by private members shall be determined by ballot, to be held in accordance with the orders made by the Speaker, on such day, not being less than fifteen days before the day with reference to which the ballot is held, as the Speaker may direct.

(2) On a day allotted for the disposal of private members' Bills, Bills which have already been introduced by private members shall have priority over all other business, provided that any notice required by these rules has been given, and such Bills shall have relative precedence in the following order, namely—

- (a) Bills returned by the President with a message under Article 111 of the Constitution;
- (b) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (c) Bills in respect of which the Report of a Select Committee has been presented;
- (d) Bills which have been circulated for the purpose of eliciting opinions;
- (e) Bills introduced and in respect of which no further motion has been made or carried;
- (f) other Bills.

(3) The relative precedence of Bills falling under the same clause of sub-rule (2) shall be determined by ballot to be held at such time and in such manner as the Speaker may direct:

Provided that Bills falling under clause (e) shall be arranged in groups in the order of their date of introduction and relative precedence within each group shall be determined by ballot.

23. Precedence of Private Members' Resolutions.—The relative precedence of notices of resolutions given by private members shall be determined by ballot, to be held in accordance with the orders made by the Speaker, on such day, not being less than fifteen days before the day with reference to which the ballot is held, as the Speaker may direct.

24. Business outstanding at end of day.—Private Members' business set down for the day allotted for that class of business and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day:

Provided that notwithstanding anything contained in rules 22 and 28 any such business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.

25. List of Business.—(1) A list of business for the day shall be prepared by the Secretary, and a copy thereof shall be made available for the use of every member.

(2) Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

(3) Save as otherwise provided by these rules, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

(4) Unless the Speaker otherwise directs, not more than five resolutions (in addition to any resolution which is outstanding under the proviso to rule 24) shall be set down in the list of business for any day allotted for the disposal of private members' resolutions.

CHAPTER VII

QUESTIONS

26. Time for questions.—Unless the Speaker otherwise directs, the first hour of every meeting shall be available for the asking and answering of questions.

27. Notice of questions.—Unless the Speaker otherwise directs, not less than ten clear days' notice of a question shall be given.

28. Form of notice of questions.—Notice of a question shall be given in writing to the Secretary and shall specify—

(a) the official designation of the Minister to whom it is addressed;
and

(b) the date on which the question is proposed to be placed on the list of questions for answer.

29. Notice of admission of questions to Ministers.—Unless the Speaker with the consent of the Minister concerned otherwise directs, no question shall be placed on the list of questions for answer until five days have expired from the time when notice of the admission of such question by the Speaker has been given by the Secretary to the Minister to whom it is addressed.

30. Questions for oral answers to be distinguished by asterisks.—A member who desires an oral answer to his question shall distinguish it by an asterisk and if he does not distinguish it by an asterisk the question shall be printed in the list of questions for written answer.

31. Member entitled to oral answers to three questions on a day.—Not more than three questions distinguished by asterisks by the same member shall be placed on the list of questions for oral answer on any one day. Questions in excess of three shall be placed in the list of questions for written answer.

32. Allotment of days for oral answers to questions.—The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such Ministry or Ministries as the Speaker may, from time to time, provide, and on each such day, unless the Speaker with the

consent of the Minister concerned otherwise directs, only questions relating to the Ministry or Ministries for which time on that day has been allotted shall be placed on the list of questions for oral answer.

33. Written answers to questions not replied orally.—If any question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the Minister to whom the question is addressed shall forthwith lay upon the Table of the House a written reply to the question, and no oral reply shall be required to such question and no supplementary questions shall be asked in respect thereof.

34. Questions to Private Members.—A question may be addressed by a member to a private member provided the subject matter of the question relates to some Bill, Resolution or other matter connected with the business of Parliament for which that member is responsible and the procedure in regard to such questions shall, as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

35. Conditions of admissibility of questions.—(1) Subject to the provisions of sub-rule (2) of this rule, a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognizance of the Minister to whom it is addressed.

(2) The right to ask a question is governed by the following conditions:—

- (i) It shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (ii) if it contains a statement the member shall make himself responsible for the accuracy of the statement;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (iv) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- (v) it shall not ask as to the character or conduct of any person except in his official or public capacity;
- (vi) it shall not be of excessive length;
- (vii) it shall not relate to a matter which is not primarily the concern of the Government of India;
- (viii) it shall not ask about proceedings in a committee which have not been placed before the House by a report from the Committee;
- (ix) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (x) it shall not make or imply a charge of a personal character;
- (xi) it shall not raise questions of policy too large to be dealt within the limits of an answer to a question;
- (xii) it shall not repeat in substance questions already answered or to which an answer has been refused;
- (xiii) it shall not ask for information on trivial matters;
- (xiv) it shall not ordinarily seek information on matters of past history;

- (xv) it shall not require information set forth in accessible documents or in ordinary works of reference;
- (xvi) it shall not raise matters under the control of bodies or persons not primarily responsible to the Government of India;
- (xvii) it shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India; and
- (xviii) it shall not relate to a matter with which a Minister is not officially connected.

36. Questions on matters of controversy between the Government of India and the Government of a State.—In matters which are or have been the subject of controversy between the Government of India and the Government of a State, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of fact.

37. Speaker to decide admissibility of questions.—The Speaker shall decide whether a question or a part thereof is or is not admissible under these rules and may disallow any question or a part thereof when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of Parliament or is in contravention of these rules.

38. Member to state reasons for desiring an oral answer to a question.—The Speaker may, if he thinks fit, call upon any member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

39. List of questions.—Questions, which have not been disallowed, shall be entered in the list of questions for the day for oral or written answer as the case may be.

40. Order in which questions shall be called.—Questions for oral answers shall be called, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting.

41. Withdrawal or postponement of questions.—A member may, by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question, or postpone it to a later day to be specified in the notice, and on such later day the question shall, subject to the provisions of rule 82, be placed on the list after all questions which have not been so postponed;

Provided that a postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement has been received by the Secretary.

42. Mode of asking questions.—(1) When the time for asking questions arrives, the Speaker shall call successively each member in whose name a question appears on the notice paper.

(2) The member so called shall rise in his place and unless he states that it is not his intention to ask the question standing in his name, he shall ask the question by reference to its number on the notice paper.

(3) If on a question being called it is not put or the member in whose name it stands is absent, the Speaker, at the request of any member, may direct that the answer to it be given.

43. Questions of absent members.—When all the questions for which an oral answer is desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may also permit a member to ask a question standing in the name of another member, if so authorised by him.

44. Supplementary questions.—(1) No discussion shall be permitted during the time for questions under rule 26 in respect of any question or of any answer given to a question.

(2) Any member whom called by the Speaker may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the Speaker shall disallow any supplementary question if, in his opinion, it infringes the rules as to the questions.

45. Short notice questions.—(1) A question relating to a matter of public importance may be asked with shorter notice than ten clear days and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and, if so, on what date.

(2) If the Minister concerned agrees to reply, such question shall be answered on a day to be indicated by him and shall be called immediately after the questions which have appeared on the list of questions for oral answer have been disposed of.

(3) Where a member desires an oral answer to a question at shorter notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the member.

(4) The member who has given notice of the question shall be in his seat to read the question when called by the Speaker and the Minister concerned shall give a reply immediately.

(5) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

46. Discussion on a matter of public importance arising out of answers to questions.—(1) The Speaker shall allot half an hour from 5 P.M. to 5-30 P.M. on two days in a week, namely, Wednesday and Friday, for raising discussion on a matter of sufficient public importance which has been the subject of a question in the House, irrespective of the fact whether the question was answered orally or the answer was laid on the Table of the House:

Provided that if the other business set down for the day is concluded before 5 P.M. the period of half an hour shall commence from the time such other business is concluded:

Provided further that the Speaker may allot any day instead of Wednesday or Friday if such a course is, in his opinion, necessary or convenient.

(2) A Member wishing to raise a matter shall give notice in writing to the Secretary three days in advance of the day on which the matter is desired to be raised, and shall shortly specify the point or points that he wishes to raise

Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question:

Provided further that the notice shall be supported by the signature of at least two other members:

Provided further that the Speaker may with the consent of the Minister concerned waive the requirement concerning the period of notice.

(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion.

(4) If more than two notices have been received and admitted by the Speaker, the Secretary shall hold a ballot with a view to drawing two notices and the notices shall be put down in the order in which they were received in point of time.

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any further day, unless the member so desires, in which case it shall be included in the ballot for the next available day.

(5) There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister concerned shall reply shortly. Any member who has previously intimated to the Speaker may be permitted to put a question for the purpose of further elucidating any matter of fact.

47. Publicity of answers to questions in advance.—Answers to questions which Ministers propose to give in the House shall not be released for publication until the answers have actually been given on the floor of the House or laid on the Table.

CHAPTER VIII

MOTION FOR ADJOURNMENT ON A MATTER OF PUBLIC IMPORTANCE

48. Speaker's consent necessary to make motion.—Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

49. Method of giving notice.—Notice of an adjournment motion shall be given before the commencement of the sitting on the day on which the motion is proposed to be made to each of the following:—

- (i) the Speaker,
- (ii) the Minister concerned, and
- (iii) the Secretary.

50. Restrictions on right to make motion.—The right to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely:—

- (i) not more than one such motion shall be made at the same sitting;
- (ii) not more than one matter shall be discussed on the same motion;
- (iii) the motion shall be restricted to a specific matter of recent occurrence;
- (iv) the motion shall not raise a question of privilege;
- (v) the motion shall not revive discussion on a matter which has been discussed in the same session;
- (vi) the motion shall not anticipate a matter which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before Parliament within a reasonable time; and

(vii) the motion shall not deal with any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

51. Mode of asking for leave to move adjournment motion.—(1) The Speaker, if he gives consent under rule 48 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House:

Provided that where the Speaker has refused his consent under rule 48 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.

(2) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty-five members rise accordingly, the Speaker shall intimate that leave is granted. If less than twenty five members rise, the Speaker shall inform the member that he has not the leave of the House.

52. Time for taking up motion.—The motion shall be taken up at 4 P.M., or if the Speaker after consultation with the Leader of the House so directs, at any earlier hour at which the business of the day may terminate.

53. Closure of debate.—The Speaker may, if he is satisfied that there has been adequate debate, put the question at 6-30 P.M.

54 Time limit for speeches.—The Speaker shall prescribe a time limit for speeches

CHAPTER IX

LEGISLATION

Introduction and Publication of Bills

55. Publication before introduction.—The Speaker on a request being made to him may order the publication of any Bill (together with the Statement of Objects and Reasons and the financial memorandum accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

56. Notice of motion for leave to introduce Bills.—(1) Any member, other than a Minister, desiring to move for leave to introduce a Bill, shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory statement of Objects and Reasons which shall not contain argument.

Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

(2) If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction or recommendation of the President, the member shall annex to the notice a copy of such sanction, or recommendation, and the notice shall not be valid until this requirement is complied with.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be one month unless the Speaker allows the motion to be made at shorter notice.

57. Financial Memorandum to Bills and money clauses in Bills.—(1) A Bill shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.

(2) Clauses or provisions in Bills involving expenditure from public funds shall be printed in thick type or in italics:

Provided that in the case of Bills introduced in the first session of Parliament the Speaker may permit the introduction of a Bill without a financial memorandum being attached to it:

Provided further that where a clause in a Bill involving expenditure is not printed in thick type or in italics, the Speaker may permit the member in charge of the Bill to bring to the notice of the House such clauses.

58. Motion for leave to introduce.—If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of Parliament, the Speaker may permit a full discussion thereon.

59. Publication after introduction.—As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

Motions after introduction of Bills

60. Motions after introduction.—When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:—

- (i) that it be taken into consideration by Parliament either at once or at some future day to be then specified; or
- (ii) that it be referred to a Select Committee; or
- (iii) that it be circulated for the purpose of eliciting opinion thereon.

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available for two days, before the day on which the motion is made, and such objection shall prevail, unless the Speaker allows the motion to be made.

61. Discussion of principle of Bill.—(1) On the day on which any motion referred to in rule 60 is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved, but—

- (a) If the member in charge moves that his Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee, or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion, or
- (b) if the member in charge moves that his Bill be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried, and the Bill is circulated in accordance with that direction and opinions are received thereon, the member in charge, if he wishes to proceed with his Bill thereafter, shall move that the Bill be referred to a Select Committee, unless the Speaker allows a motion to be made that the Bill be taken into consideration.

62. Persons by whom motions in respect of Bills may be made.—No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of amendment to a motion made by the member in charge.

Select Committees on Bills

63. Composition of Select Committee.—(1) The member in charge of the Bill and the Minister of Law shall be members of every Select Committee, and it shall not be necessary to include their names in any motion for appointment of such a Committee.

(2) The other members of the Committee shall be appointed by the House when a motion that the Bill be referred to a Select Committee is made, or a motion is made by way of amendment under clause (a) of sub-rule (2) of rule 61.

64. Chairman of Select Committee.—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that where the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may appoint another Chairman in his place.

* from any meeting, the Committee shall choose

order of reference to such sub-committee shall clearly state the points for investigation. The report of the sub-committee shall be considered by the whole Committee.

69. Meetings of Select Committee.—The first meeting of a Select Committee shall be held on such day and at such hour as the Chairman may fix. Subsequent dates for meetings of the Committee will be fixed by the Committee itself.

Provided that if the Chairman is not readily available, the Secretary may, in consultation with the Minister whose Ministry is concerned with the Bill, fix the date and time of the first meeting:

Provided further that where the Committee has not fixed a date for the next meeting, the Secretary may fix the date for the meeting in consultation with the Chairman.

70. Sittings of Select Committee.—A Select Committee may sit whilst the House is sitting provided that on a division being called in the House the Chairman of the Committee shall suspend the proceedings in the Committee for such time as will in his opinion enable members to vote in the division.

71. Note of amendments and procedure generally in Select Committee.—
(1) If notice of a proposed amendment has not been given before the day on which the Bill is taken up by the Select Committee, any member may object to the moving of the amendment and such objection shall prevail unless the Chairman allows the amendment to be moved.

(2) In other respects, the procedure in a Select Committee shall, as far as practicable, be the same as is followed in the House during the consideration stage of a Bill, with such adaptations, whether by way of modification, addition or omission, as the Speaker may consider necessary or convenient.

72. Notice of amendments by Members other than Members of Select Committee.—When a Bill has been referred to a Select Committee, any notice given by a member of any amendment to a clause in the Bill referred to the Committee provided that where notice is given by a member who is not a member of the Select Committee, it shall not be received.

(2) If any doubt arises on any point of procedure or otherwise, the Chairman may if he thinks fit, refer the point to the Speaker whose decision shall be final.

75. Power of Select Committee to make suggestions on procedure.—A Select Committee shall have power to pass resolutions on matters of procedure relating to Select Committees for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

76. Record of the decisions of a Select Committee.—A record of the decisions of a Select Committee shall be maintained and circulated to members of the Committee under the direction of the Chairman.

77. Reports by Select Committee.—(1) As soon as may be after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time in accordance with rule 69 to consider the Bill and shall make a report thereon within the time fixed by the House:

Provided that where the House has not fixed any time for the presentation of the report, the report shall be presented before the expiry of three months from the date on which the House adopted the motion for the reference of the Bill to the Select Committee:

Provided further that the House may at any time, on a motion being made, direct that the time for the presentation of the Report by the Select Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) The Select Committee shall in their report state whether the publication of the Bill directed by these rules has taken place, and the date on which the publication has taken place.

(4) Where a Bill has been altered the Select Committee may, if they think fit, include in their report a recommendation to the member in charge of the Bill that his next motion should be a motion for circulation, or, where the Bill has already been circulated, for re-circulation.

(5) If any member of a Select Committee desires to record a minute of dissent on any matter, he shall sign the report stating that he does so subject to his minute of dissent, and shall at the same time hand in his minute:

Provided that a member, if he so wishes, may hand in a complete minority report of his own or supported by such other members as are in agreement with him.

78. Presentation of report.—(1) The Report of the Select Committee on a Bill shall be presented to the House by the Chairman or in his absence by any member of the Committee.

(2) In presenting a report the Chairman or, in his absence, the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of fact, but there shall be no debate at this stage.

79. Printing and Publication of report.—The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every member of the House. The report, with the amended Bill, shall be published in the Gazette.

Procedure after presentation of Report of a Select Committee

80. Motions that may be moved after presentation of the report of a Select Committee.—(1) After the presentation of the final report of a Select Committee on a Bill, the member in charge may move—

(a) that the Bill as reported by the Select Committee be taken into consideration;

Provided that any member of the House may object to its being so taken into consideration if a copy of the report has not been made available for the use of members for two days, and such objection shall prevail, unless the Speaker allows the report to be taken into consideration; or

- (b) that the Bill as reported by the Select Committee be re-committed, either—
 - (i) without limitation, or
 - (ii) with respect to particular clauses or amendments only, or
 - (iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill; or
- (c) that the Bill as reported by the Select Committee be circulated or re-circulated, as the case may be, for the purpose of obtaining opinion or further opinion thereon.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be re-committed or be circulated or re-circulated for the purpose of obtaining opinion or further opinion thereon.

81. Scope of debate on report of Select Committee.—The debate on a motion that the Bill as reported by the Select Committee be taken into consideration shall be confined to consideration of the report of the Select Committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.

Amendments to clauses, etc. and consideration of Bills

82. Notice of amendments.—(1) If notice of an amendment has not been given one day before the day on which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker allows the amendment to be moved.

(2) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been received.

83. Conditions of admissibility of amendments.—The following conditions shall govern the admissibility of amendments:—

- (i) An amendment shall be within the scope of the Bill and relevant to the subject-matter of the clause to which it relates.
- (ii) An amendment shall not be inconsistent with any previous decision of the House on the same question.
- (iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (iv) If an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole:

Provided that in order to save time and repetition of arguments, a single discussion may be allowed to cover a series of interdependent amendments.

- (v) The Speaker shall determine the place in which an amendment shall be moved.
- (vi) The Speaker may refuse to propose an amendment which is, in his opinion, frivolous or meaningless.

(vii) An amendment may be proposed to an amendment which has already been proposed by the Speaker.

84. Sanction of the President to be annexed to notice of amendment.—If any member desires to move an amendment which under the Constitution cannot be moved without the previous sanction or recommendation of the President, he shall annex to the notice required by these rules a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

85. Power of Speaker to select new clauses or amendments.—The Speaker shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it.

86. Arrangement of amendments.—Amendments of which notice has been given, shall, as far as practicable, be arranged in the list of amendments, issued from time to time, in the order in which they may be called. In arranging amendments raising the same question at the same point of a clause, precedence may be given to an amendment moved by the member in charge of the Bill. Subject as aforesaid, amendments may be arranged in the order in which notice of them is received.

87. Order of amendments.—Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been made: "That this clause stands part of the Bill".

88. Mode of moving amendments.—When a motion that a Bill be taken into consideration has been carried, any member when called upon by the Speaker may move an amendment to the Bill of which he has previously given notice.

89. Withdrawal of amendments.—An amendment moved may, by leave of the House, but not otherwise, be withdrawn, on the request of the member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn until the amendment proposed to it has been disposed of.

90. Submission of a Bill clause by clause.—Notwithstanding anything in these rules, the Speaker may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the House clause by clause. The Speaker may call each clause separately, and, when the amendments relating to it have been dealt with, shall put the question: "That this clause (or, as the case may be, that this clause as amended) stand part of the Bill".

91. Postponement of clause.—The Speaker may, if he thinks fit, postpone the consideration of a clause.

92. Schedule.—The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended, in the same manner as clauses, and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put: "That this schedule (or, as the case may be, that this schedule as amended) stand part of the Bill".

93. Clause one, preamble and title of the Bill.—Clause one, the preamble if any, and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question: "That clause one, or the preamble

or the title (or as the case may be, that clause one, preamble or title as amended) do stand part of the Bill".

Passing, Authentication and Reconsideration of Bills

94. Passing of a Bill.—(1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bill is made, the member in charge may at once move that the Bill be passed.

(2) If any amendment of the Bill is made, any member may object to any motion being made on the same day that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

(4) To such a motion no amendment may be moved which is not either formal, verbal or consequential upon an amendment made after the Bill was taken into consideration.

95. Scope of debate.—The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

96. Authentication of a Bill.—When a Bill is passed by Parliament, a copy thereof shall be signed by the Speaker:

Provided that in the absence of the Speaker from New Delhi the Secretary may authenticate the Bill for the Speaker in case of urgency.

97. Reconsideration by Parliament of a Bill passed.—When a Bill which has been passed by Parliament is returned by the President for reconsideration by Parliament, the point or points referred for reconsideration shall be put before Parliament by the Speaker, and shall be discussed and voted upon in the same manner as amendments to a Bill, or in such other way as the Speaker may consider most convenient for their consideration by the House.

Adjournment of debate on, and withdrawal and removal of, Bills

98. Adjournment of the debate on a Bill.—At any stage of a Bill which is under discussion in the House a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

99. Withdrawal of a Bill.—The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill; and if such leave is granted, no further motion shall be made with reference to the Bill.

100. Removal of a Bill from the Register of Bills.—Where any of the following motions under these rules in regard to a Bill is rejected by Parliament, no further motion shall be made with reference to the Bill and such Bill shall be removed from the Register of Bills pending in Parliament:—

- (i) that leave be granted to introduce the Bill;
- (ii) that the Bill be referred to a Select Committee;
- (iii) that the Bill be taken into consideration;
- (iv) that the Bill as reported by Select Committee be taken into consideration; and
- (v) that the Bill [or as the case may be, that the Bill, as amended] be passed.

Petitions on Bills

101. Petitions relating to a Bill.—Petitions relating to a Bill which has been published under rule 55 or which has been introduced or in respect of which notice of a motion has been received under these rules, may be presented or submitted in accordance with these rules.

102. General form of a petition.—(1) The General form of petition set out in the Schedule, with such variations as the circumstances of each case require, may be used and, if used, shall be sufficient.

(2) Every petition shall be couched in respectful and temperate language.

103. Authentication of signatories to a petition.—The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate by his signature and if illiterate by his thumb impression.

104. Countersignature.—Every petition shall, if presented by a member, be countersigned by him.

105. Petition to whom to be addressed and how to be concluded.—Every petition shall be addressed to Parliament and shall conclude with a prayer reciting the definite object of the petitioners in regard to the Bill to which it relates.

106. Presentation of a petition.—Any petition may be presented by a member, or be forwarded to the Secretary, in which latter case the fact shall be reported by him to the House, and no debate shall be permitted on the making of such report.

107. Form of presentation.—A member presenting a petition shall confine himself to a statement in the following form:—

"I present a petition signed by..... petitioners regarding Bill", and no debate shall be permitted on this statement

108. Constitution of Committee on Petitions.—(1) At the commencement of Parliament, or from time to time as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than five members.

(2) A Committee nominated under Sub-rule (1) shall hold office until a new Committee is nominated.

109. Chairman of Committee on Petitions.—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

110. Reference to Committee.—Every petition after presentation by a member or report by the Secretary, as the case may be, shall be referred to the Committee.

111. Examination and circulation of petition.—(1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may in its discretion direct that it be circulated as a paper to the Bill to which it relates. Where circulation of the petition has not been directed, the Speaker may at any time direct that the petition be circulated.

(2) Circulation of the petition shall be *in extenso* or of a summary thereof as the Committee, or the Speaker, as the case may be, may direct.

112. Presentation of Report of Committee on Petitions.—The Committee shall report to the House stating the subject matter of the petition, the number of persons by whom it is signed and whether it is in conformity with these rules, and also whether circulation has or has not been directed.

CHAPTER X

RESOLUTIONS AND MOTIONS

Resolutions

113. Notice of Resolution.—A member who wishes to move a resolution shall give fifteen clear days' notice of his intention and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the Speaker, with the consent of the Minister concerned, may allow it to be entered on the list of business with shorter notice than fifteen days.

114. Form of Resolution.—A resolution may be in the form of a declaration of opinion by Parliament.

115. Subject matter of Resolution.—Subject to the provisions of these rules, any member may move a resolution relating to a matter of general public interest.

116. Conditions of admissibility of Resolution.—In order that a resolution may be admissible, it shall satisfy the following conditions, namely—

- (i) it shall be clearly and precisely expressed;
- (ii) it shall raise substantially one definite issue;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iv) it shall not refer to the conduct or character of persons except in their official or public capacity; and
- (v) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

117. Speaker to decide admissibility of Resolution.—The Speaker shall decide on the admissibility of a resolution, and may disallow a resolution or a part thereof when in his opinion it does not comply with these rules.

118. Moving of Resolution.—(1) A member in whose name a resolution stands on the list of business shall, except when he wishes to withdraw it, when called on, move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business:

Provided that the member may, with the permission of the Speaker, authorise any other member, in whose name the same resolution stands lower in the list of business, to move it on his behalf, and the member so authorised may move accordingly.

(2) If the member when called on is absent, any other member authorised by him in writing in this behalf may, with the permission of the Speaker, move the resolution standing in his name.

119. Amendments.—(1) After a resolution has been moved, any member may, subject to the rules relating to resolutions, move an amendment to the resolution.

(2) If notice of such amendment has not been given one day before the day on which the resolution is moved, any member may object to the moving of the

amendment, and such objection shall prevail, unless the Speaker, allows the amendment to be moved.

(3) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been given.

120. Time limit of speeches.—No speech on a resolution, except with the permission of the Speaker, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.

121. Scope of discussion.—The discussion of a resolution shall be strictly relevant to and within the scope of the resolution.

122. Withdrawal of Resolution and amendment.—(1) A member in whose name a resolution stands on the list of business may, when called on, withdraw the resolution in which case he shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.

(3) If a resolution which has been admitted is not discussed during the session it shall be deemed to have been withdrawn.

123. Splitting of Resolution—When any resolution involving several points has been discussed, the Speaker may divide the resolution, and put each or any points separately to the vote, as he may think fit.

124. Repetition of Resolution.—(1) When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within one year from the date of the moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.

125. Copy of Resolution passed to be sent to Minister.—A copy of every resolution which has been passed by the House shall be forwarded to the Minister concerned.

Motions

126. Discussion of matters of general public interest by means of motion.—Save in so far as is otherwise provided by the Constitution or by these rules, no discussion of a matter of general public interest shall take place otherwise than on a resolution moved in accordance with the rules governing the moving of resolutions except on a motion made with the consent of the Speaker, who if he admits the motion, will allot a day or days for its discussion in consultation with the Leader of the House.

127. Motion of no-confidence in Ministers.—(1) A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely:—

- (a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon;
- (b) the member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written notice of the motion which he proposes to move.

(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and if not less than thirty

members rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days from the date on which the leave is asked, as he may appoint. If less than thirty members rise, the Speaker shall inform the member that he has not the leave of the House.

Statement by a Minister who has resigned

128. Statement by a Minister who has resigned.—(1) A member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon.

(3) There shall be no debate on such statement, but after it has been made, a Minister may make a statement pertinent thereto.

CHAPTER XI

PROCEDURE IN FINANCIAL MATTERS

129. The Budget.—The Annual Financial Statement or the Statement of the estimated Receipts and Expenditure of the Government of India in respect of each financial year (hereinafter referred to as 'the Budget') shall be presented to Parliament on such day as the President may direct.

130. Budget not to be discussed on presentation.—There shall be no discussion of the Budget on the day on which it is presented to Parliament.

131. Demands for Grants.—(1) A separate demand shall ordinarily be made in respect of the grant proposed for each Ministry, provided that the Finance Minister may include in one demand grants proposed for two or more Ministers or Departments or make a demand in respect of expenditure which cannot readily be classified under particular Ministries.

(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules, the Budget shall be presented to Parliament in such form as the Finance Minister may, after considering the suggestions if any of the Estimates Committee, settle.

132. General discussion on the Budget.—(1) On a day to be appointed by the Speaker subsequent to the day on which the Budget is presented and for such time as the Speaker may allot for this purpose, Parliament shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but at this stage no motion shall be moved nor shall the Budget be submitted to the vote of Parliament.

(2) The Finance Minister shall have a general right of reply at the end of the discussion.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

133. Voting of Grants.—(1) The Speaker in consultation with the Leader of the House shall allot so many days as may be compatible with the public interest for the discussion and voting of demands for grants.

(2) On the last day of the allotted days, at 5 o'clock, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

(3) Motions may be moved to reduce any grant.

(4) No amendments to motions to reduce any grant shall be permissible.

(5) When several motions relating to the same demand are offered, they shall be discussed in the order in which the heads to which they relate, appear in the Budget.

134. Presentation of the Budget in Parts.—Nothing hereinbefore contained shall be deemed to prevent the presentation of the Budget to Parliament in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with these rules as if it were the Budget.

135. Notice of Cut Motions.—If notice of a motion to reduce any grant has not been given one day before the day on which the demand is under consideration, any member may object to the moving of the motion, and such objection shall prevail, unless the Speaker allows the motion to be made.

136. Vote on account.—(1) A motion for vote on account shall state the total sum required, and the various amounts needed for each Ministry, Department or item of expenditure which compose that sum shall be stated in a schedule appended to the motion.

(2) Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items wherof the grant is composed.

(3) Discussion of a general character shall be allowed on the motion or any amendments moved thereto, but the details of the grant shall not be discussed further than is necessary to develop the general points.

(4) In other respects, a motion for vote on account shall be dealt with in the same way as if it were a demand for grant.

137. Supplementary, additional excess and exceptional grants and votes of credit.—Supplementary, additional excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient.

138. Token Grant.—When funds to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted in the vote of Parliament and, if Parliament assents to the demand, funds may be so made available.

139. Appropriation Bill.—(1) Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modifications as the Speaker may consider necessary.

(2) At any time after the introduction in Parliament of an Appropriation Bill, the Speaker may allot a day or days jointly or severally for the completion of all or any of the stages involved in the passage of the Bill by Parliament, and when such allotment has been made the Speaker shall at 5 o'clock on the allotted day or, as the case may be, the last of the allotted days, forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted.

(3) The Speaker may, if he thinks fit, prescribe a time-limit for speeches at all or any of the stages for which a day or days have been allotted under the preceding sub-rule.

140. Finance Bill.—(1) In this rule "Finance Bill" means the Bill ordinarily introduced in each year to give effect to the financial proposals of the Government of India for the next following financial year and includes a Bill to give effect to supplementary financial proposals for any period.

(2) At any time after the introduction in Parliament of a Finance Bill, the Speaker may allot a day or days, jointly or severally, for the completion of all or any of the stages involved in the passage of the Bill by Parliament and when

such allotment has been made the Speaker shall at 5 o'clock on the allotted day or, as the case may be, the last of the allotted days forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted.

Provided that if a Minister has a right of reply to the debate on the motion which is under discussion at 4 P.M. on that day and has not commenced his reply at that hour, the Speaker shall inquire how much time not exceeding one hour he requires for his reply and shall call upon any member for the time being addressing the House to resume his seat at such time as will leave available before 5 o'clock the amount of time which the Minister has stated that he requires for his reply.

(3) Where the question or one of the questions required by sub-rule (2) to be put at 5 o'clock on the allotted day or the last of the allotted days is that the Bill be passed, sub-rule (2) shall have effect notwithstanding that amendments of the Bill have been made.

(4) Subject to the proviso to sub-rule (2) the Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days have been allotted under that sub-rule.

141. Business that can be taken up on a day allotted for any kind of financial business.—Notwithstanding that a day has been allotted for other business under rule 139 or 140 a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day before Parliament enters on the business for which the day has been allotted.

142. Time limit for disposal of financial business.—In addition to the powers exercisable by the Speaker under those rules, he may exercise all powers necessary for the purpose of the timely completion of all financial business and in particular allot time for the disposal of various kinds of such business and where time is so allotted, he shall at the appointed hour put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which time has been allotted.

Explanation—Financial business includes any business which the Speaker holds as coming within this category under the Constitution.

143. Committee on Public Accounts.—(1) As soon as may be after the commencement of the first session of Parliament, a Committee on Public Accounts shall subject to the provisions of this rule, be constituted.

(2) The function of the Committee shall be to examine the accounts showing the appropriation of the sums granted by Parliament to meet the expenditure of the Government of India and such other accounts laid before Parliament as the Committee may think fit.

(3) The Committee on Public Accounts shall consist of not more than fifteen members, who shall be elected by Parliament from amongst its members according to the principle of proportional representation by means of the single transferable vote.

(4) The term of office of members of the Committee shall be one year.

(5) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election in the manner aforesaid, and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would, under the provisions of this rule, have held office.

(6) In order to constitute a meeting of the Committee, the quorum shall be four.

(7) (a) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(b) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(c) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(d) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

144. Control of Committee on Public Accounts.—(1) In scrutinising the Appropriation Accounts of the Government of India and the report of the Comptroller and Auditor-General thereon, it shall be the duty of the Committee on Public Accounts to satisfy itself—

(a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;

(b) that the expenditure conforms to the authority which governs it; and

(c) that every re-appropriation has been made in accordance with the provisions made in this behalf in the Appropriation Act, or under rules framed by competent authority under the provisions of the said Act:

Provided that the provision made in clause (c) above shall not apply to any accounts prior to the year 1950-51.

(2) It shall also be a duty of the Committee on Public Accounts—

(a) to examine such trading, manufacturing and profit and loss accounts and balance sheets as the President may have required to be prepared, and the Comptroller and Auditor-General's report thereon; and

(b) to consider the report of the Comptroller and Auditor-General in cases where the President may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock.

145. Committee on Estimates.—(1) As soon as may be after the commencement of the first session of Parliament, a Committee on Estimates shall, subject to the provisions of this rule, be constituted to examine such of the estimates as may seem fit to the Committee and to suggest economies consistent with the policy underlying the estimates.

(2) The Committee shall consist of not more than twenty-five members who shall be elected by Parliament from amongst its members according to the principle of proportional representation by means of the single transferable vote.

(3) The term of office of the members of the Committee shall be one year.

(4) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election in the manner aforesaid and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would, under the provisions of this rule, have held office.

(5) (a) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(b) If the Chairman is for any reason unable to act the Speaker may similarly appoint another Chairman in his place.

(c) If the Chairman is absent from any meeting the Committee shall choose another member to act as Chairman for that meeting.

(6) In order to constitute a meeting of the Committee, the quorum shall be six.

(7) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

(8) The Committee may appoint one or more sub-committees, each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole Committee if they are approved at a meeting of the whole Committee.

(9) The Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the House. Such reports shall be treated as confidential until presented to Parliament.

(10) The Committee may hear officials or take other evidence connected with the estimates under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(11) The Committee may continue its examination of the estimates from time to time throughout the financial year and report to Parliament as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(12) (a) The Speaker may from time to time issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure and the organization of its work.

(b) If any doubt arises on any point of procedure or otherwise, the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

(13) The Committee shall have power to pass resolutions on matters of procedure for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

CHAPTER XII

COMMUNICATIONS BETWEEN THE PRESIDENT AND PARLIAMENT

146. Communications from the President to Parliament.—Communications from the President to Parliament shall be made to the Speaker by written message signed by the President or, if the President is absent from the place of meeting of Parliament his message shall be conveyed to the Speaker through a Minister.

147. Communications from Parliament to the President.—Communications from Parliament to the President shall be made—

- (1) by formal address, after motion made and carried in the House, and
- (2) through the Speaker

CHAPTER XIII
GENERAL RULES OF PROCEDURE
Notices

148. Notices by Members.—(1) Every notice required by the rules shall be given in writing addressed to the Secretary, and signed by the member giving notice, and shall be left at the Parliamentary Notice Office which shall be open for this purpose between the hours of 10-45 A.M. and 3 P.M. on every day except Sunday or a public holiday.

(2) Notices left when the office is closed shall be treated as given on the next open day.

149. Circulation of notice and papers to Members.—(1) The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is, by these rules required to be made available for the use of members.

(2) A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Speaker may, from time to time, direct.

150. Lapse of pending notices on prorogation of a session.—On the prorogation of a session, all pending notices, other than notices of intention to move for leave to introduce a Bill shall lapse and fresh notice must be given for the next session.

Provided that fresh notice shall be necessary of intention to move for leave to introduce any Bill in respect of which sanction has been granted under the Constitution if the sanction has ceased to be operative.

Motions

151. Repetition of Motion.—A motion must not raise a question substantially identical with one on which the House has given a decision in the same session.

152. Withdrawal of Motion.—(1) A member who has made a motion may withdraw the same by leave of the House.

(2) The leave shall be signified not upon question but by the Speaker taking the pleasure of the House. The Speaker shall ask: "Is it your pleasure that the motion be withdrawn?" If no one dissents, the Speaker shall say: "The motion is by leave withdrawn." But if any dissentient voice be heard or a member rises to continue the debate, the Speaker shall forthwith put the motion.

Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

153. Dilatory motion.—If the Speaker is of opinion that a motion for the adjournment of a debate is an abuse of the rules of the House, he may either forthwith put the question thereon from the Chair or decline to propose the question.

Amendments

154. Scope of amendments.—(1) An amendment shall be relevant to, and within the scope of, the motion to which it is proposed.

(2) An amendment shall not be moved which has merely the effect of a negative vote.

(3) An amendment on a question shall not be inconsistent with a previous decision on the same question.

155. Selection of amendments.—(1) The Speaker may refuse to put an amendment which is in his opinion frivolous

(2) In respect of any motion, the Speaker shall have power to select the amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it.

Rules to be observed by Members

156. Rules to be observed by members while present in the House.—Whilst the House is sitting, a member—

- (i) shall enter and leave the House with decorum,
- (ii) shall not cross the House irregularly,
- (iii) shall not read any book, newspaper or letter except in connection with the business of the House;
- (iv) shall maintain silence,
- (v) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner

157. Member to speak when called by Speaker.—When a member rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

158. Mode of addressing the House.—A member desiring to make any observations on any matter before the House shall speak from his place, shall rise when he speaks and shall address the Speaker:

Provided that a member disabled by sickness or infirmity may be permitted to speak sitting

159. Rules to be observed while speaking.—A member while speaking shall not—

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make a personal charge against a member;
- (iii) use offensive expressions about the conduct or proceedings of Parliament or any State Legislature;
- (iv) reflect on any determination of the House except on a motion for rescinding it;
- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;

Explanation.—The words “persons in high authority” mean persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn in terms to be approved by him.

- (vi) use the President’s name for the purpose of influencing the debate;
- (vii) utter treasonable seditious or defamatory words;
- (viii) use his right of speech for the purpose of obstructing the business of the House.

160. Questions to be asked through the Speaker.—When, for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the House, he shall ask the question through the Speaker.

161. Irrelevance or repetition.—The Speaker, after having called the attention of the House to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

162. Personal explanation.—A member may, with the permission of the Speaker, make a personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward, and no debate shall arise.

Order of Speeches and Right of Reply

163. Order of speeches and right of reply.—(1) After the member who moves has spoken other members may speak to the motion in such order as the Speaker may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the Speaker, to speak to the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these rules, no member shall speak more than once to any motion, except with the permission of the Speaker.

(3) A member who has moved a motion may speak again by way of reply, and if the motion is moved by a private member, the Minister concerned may, with the permission of the Speaker, speak (whether he has previously spoken in the debate or not) after the mover has replied:

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of a motion to reduce any demand for grant or to the mover of an amendment to a Bill or a resolution, save with the permission of the Speaker.

Procedure when Speaker rises

164. Procedure when Speaker rises.—(1) Whenever the Speaker rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down.

(2) No member shall leave his seat while the Speaker is addressing the House.

165. Closure.—(1) At any time after a motion has been made, any member may move, "That the question be now put", and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate the Speaker shall then put the motion: "That the question be now put".

(2) Where the motion "That the question be now put" has been carried, the question or questions consequent thereon shall be put forthwith without further debate:

Provided that the Speaker may allow any member any right of reply which he may have under these rules.

Question for Decision

166. Procedure for obtaining decision of the House.—A matter requiring the decision of the House shall be decided by means of a question put by the Speaker on a motion made by a member.

167. Proposal and putting of question.—When a motion has been made, the Speaker shall propose the question for the consideration, and put it for the decision, of the House. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker as separate questions.

168. No speech after voices collected.—A member shall not speak on a question after the Speaker has collected the voices both of the Ayes and of the Noes on that question.

Papers quoted to be laid on the Table

169. Papers quoted to be laid on the Table.—If a Minister quotes in the House a despatch or other State paper which has not been presented to the House he shall lay the relevant paper on the Table

Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest.

Division

170. Division.—(1) On the conclusion of a debate, the Speaker shall put the question and invite those who are in favour of the motion to say "Aye" and those against the motion to say "No".

(2) The Speaker shall then say "I think the Ayes (or the Noes, as the case may be) have it". If the opinion of the Speaker as to the decision of a question is not challenged, he shall say twice "The Ayes (or the Noes, as the case may be) have it" and the question before the House shall be determined accordingly.

(3) If the opinion of the Speaker as to the decision of a question is challenged, he may, if he thinks fit, ask the members who are for "Aye" and those for "No" respectively to rise in their places and, on a count being taken he may declare the determination of the House. In such a case, the names of the voters shall not be recorded

(4) (a) If the opinion of the Speaker as to the decision of a question is challenged and he does not adopt the course provided for in sub-rule (3) above, he shall order a "Division" to be held

(b) After the lapse of two minutes, he shall put the question a second time and declare whether in his opinion the "Ayes" or the "Noes" have it

(c) If the opinion so declared is again challenged, he shall direct the "Ayes" to go into the Right Lobby and the "Noes" into the Left Lobby. In the "Ayes" or "Noes" Lobby, as the case may be, each member shall call out his Division Number and the Division Clerk, while marking off his number on the Division List, shall simultaneously call out the name of the Member.

(d) After voting in the Lobbies is completed, the Division Clerks shall hand over the Division Lists to the Secretary, who shall count the votes and present the totals of "Ayes" and "Noes" to the Speaker

(e) The result of a division shall be announced by the Speaker and shall not be challenged.

(f) A member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Speaker have his vote recorded either at his seat or in the Members' Lobby

(g) If a member finds that he has voted by mistake in the wrong Lobby, he may be allowed to correct his mistake provided he brings it to the notice of the Speaker before the result of the division is announced.

(h) When the Division Clerks have brought the Division Lists to the Secretary's table, a member who has not up to that time recorded his vote but who then wishes to have his vote recorded may do so with the permission of the Speaker.

Withdrawal and Suspension of Members

171. Withdrawal of a member.—The Speaker may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the House, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting.

172. Suspension of a member.—(1) The Speaker may, if he deems it necessary, name a member who disregards the authority of the Chair or abuses the rules of the House by persistently and wilfully obstructing the business thereof.

(2) If a member is so named by the Speaker, he shall forthwith put the question that the member (naming him) be suspended from the service of the House during the remainder of the session:

Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith quit the precincts of the House.

Suspension of Sitting

173. Power of Speaker to adjourn House or suspend sitting.—In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House or suspend any sitting for a time to be named by him.

Points of Order

174. Points of order and decisions thereon.—(1) Any member may at any time submit a point of order for the decision of the Speaker, but, in doing so, shall confine himself to stating the point.

(2) The Speaker shall decide all points of order which may arise, and his decision shall be final.

Maintenance of Order

175. Speaker to preserve order and enforce decisions.—The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.

Report of Proceedings

176. Report of proceedings of Parliament.—The Secretary shall cause to be prepared a full report of the proceedings of Parliament at each of its meetings, and shall, as soon as practicable, publish it in such form and manner as the Speaker may, from time to time, direct.

Admission of Strangers

177. Admission of strangers.—The admission of strangers during the sittings of the House to those portions of the House which are not reserved for the exclusive use of members shall be regulated in accordance with orders made by the Speaker.

178. Withdrawal of strangers.—The Speaker, whenever he thinks fit, may order the withdrawal of strangers from any part of the House.

Residuary Powers

179. Residuary powers.—All matters not specifically provided in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct.

Suspension of Rules

180. Suspension of rules.—Any member may, with the consent of the Speaker move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being.

SCHEDULE

FORM OF PETITION

(See Rule 102)

To

PARLIAMENT OF INDIA.

Whereas a Bill entitled a Bill.

(Here insert title of Bill.)

is now under the consideration of Parliament the humble petition of

(Here insert name and designation or description of petitioner or petitioners in concise form e.g., "A. B. and others" or "the inhabitants of" or "the municipality of" etc.)

sheweth

(Here insert concise statement of case)

and accordingly your petitioner (or petitioners) pray that

(Here insert "that the Bill be or be not proceeded with", or "that special provision be made in the Bill to meet the case of your petitioner" or any other appropriate prayer regarding the Bill)

and your petitioner(s) as in duty bound will ever pray.

Name of petitioner	Address	Signature or thumb impression

Countersignature of Member presenting.

By Order of the Speaker,

M. N. KAUL,

Secretary